

ISSUE DATE: July 20, 1995

DOCKET NO. P-421/EM-95-255

ORDER APPROVING EXPANSION OF CLASS SERVICES AND REQUIRING PROVISION
OF ANONYMOUS CALL REJECTION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Joel Jacobs
Marshall Johnson
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Proposal by U S WEST
Communications, Inc. to Offer CLASS
Services in Several Exchanges in the
Fargo/Brainerd LATA

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PROCEDURAL HISTORY

On March 24, 1995 U S WEST Communications, Inc. (U S WEST or the Company) filed a proposal to expand its CLASS services offering, in modified form, into fourteen exchanges in the Fargo/Brainerd LATA. Those exchanges are Breckenridge, Comstock, Crookston, East Fairmont, East Grand Forks, Humbolt, Moorhead, Sabin, Thief River Falls, Battle Lake, Brainerd, Henning, Nisswa, and Wadena. Together these exchanges represent approximately 64,500 access lines.

The first nine exchanges are served by switches or host facilities in North Dakota, which has different CLASS requirements than Minnesota. The Company had purchased software to meet North Dakota requirements and did not propose to offer subscribers in these exchanges free Anonymous Call Rejection, as required by order of this Commission.¹

The other five exchanges are served by Minnesota switches. Because offering Anonymous Call Rejection would involve some expense, the Company proposed not to offer Anonymous Call Rejection in these exchanges for at least two years. The Company stated this delay would

¹In the Matter of a Commission Initiated Investigation into the Provision of Custom Local Area Signaling Services in Minnesota, Docket No. P-999/CI-92-992, ORDER AFTER RECONSIDERATION (December 3, 1993).

provide time to evaluate public acceptance of Anonymous Call Rejection in other exchanges and would minimize customer confusion by reducing the number of new services introduced at one time.

On May 18, 1995 the Department of Public Service (the Department) filed comments recommending approval of the Company's proposal, chiefly on cost grounds. The Department also cautioned against further erosion of the Anonymous Call Rejection requirement.

The matter came before the Commission on July 11, 1995. At oral argument, the Company stated it was now able to offer Anonymous Call Rejection in the fourteen exchanges at minimal cost and would do so if the Commission so ordered.² The Company proposed to introduce CLASS services on September 11 without Automatic Call Rejection, but to add the service on or before December 11.

FINDINGS AND CONCLUSIONS

After a sixteen-month investigation, two days of public hearings, and lengthy deliberations, the Commission issued Orders defining the terms and conditions under which CLASS services would be offered in Minnesota. One of the central issues was how to balance consumers' interests in protecting their homes from commercial intrusions with business's interests in communicating with the public. Consumers tended to favor mandatory disclosure of business numbers through Caller ID. Businesses tended to favor extending the same blocking options to businesses as residential customers.

Originally, the Commission decided to restrict business blocking by prohibiting line blocking, making per-call blocking available only on request, and imposing a per-call blocking fee.³ On reconsideration, the Commission found that the best approach was to prohibit business line blocking (except in cases of demonstrated need), permit business per-call blocking on the same terms as residential per-call blocking, and maximize the amount of information and range of choices available to parties on every call. The Commission found that the essential tools for accomplishing this were free Anonymous Call Rejection, free per-call unblocking, and an educated public.⁴

The Commission therefore required all companies offering CLASS services to develop customer education programs, to provide free Anonymous Call Rejection, and to provide free per-call

²The Company said this was one of the effects of recent directives from the Federal Communications Commission on service activation codes.

³There were exceptions for shelters for battered persons, government agencies engaged in undercover operations, and other business customers who demonstrated a need for blocking. ORDER ESTABLISHING CONDITIONS FOR THE PROVISION OF CUSTOM LOCAL AREA SIGNALING SERVICES, Docket P-999/CI-92-992 (June 17, 1993).

⁴ORDER AFTER RECONSIDERATION, Docket P-999/CI-92-992, at 8.

unblocking. Companies for whom this would be technically impossible or prohibitively expensive were required to file detailed explanations of their current inability to comply and proposed time frames for full compliance.

Given the centrality of Anonymous Call Rejection to Minnesota CLASS policy and the clear requirements of the December 3, 1993 Order, the Company's original proposal was disturbing. Equally disturbing was its failure to inform the Commission immediately upon learning that obstacles to compliance had been removed. However, the Company has now stated its willingness and ability to comply with the December 3 Order and has promised prompt communication in the future.

The Commission will require provision of Anonymous Call Rejection for the reasons set forth in detail in the December 3 Order. The Commission will also grant the Company up to three months to install and activate Anonymous Call Rejection, accepting the Company's assurance that it will activate the service at the earliest possible date within that time frame.

This expansion of CLASS services will be subject to the terms and conditions established in the Company's original CLASS docket. As with all CLASS service offerings, this offering will not take effect until the Company's educational materials have been approved by the Commission or its staff.

ORDER

1. U S WEST's proposal to offer CLASS services in the Breckenridge, Comstock, Crookston, East Fairmont, East Grand Forks, Humbolt, Moorhead, Sabin, Thief River Falls, Battle Lake, Brainerd, Henning, Nisswa, and Wadena exchanges Is approved, subject to the terms and conditions established In the Matter of a Proposal by U S WEST Communications, Inc. to Offer CLASS Services, Docket No. P-421/EM-93-1320.
2. The Company shall offer Anonymous Call Rejection in these exchanges on or before December 11, 1995.
3. The Company shall not offer CLASS services in these exchanges until its customer education materials have been approved by the Commission or Commission staff.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)